

Notice of Allowability

Application No.

10/530,599

Applicant(s)

GUYER ET AL.

Examiner

Patrick J. Lee

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 6/14/2007.
2. ☒ The allowed claim(s) is/are 1-15 and 17-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

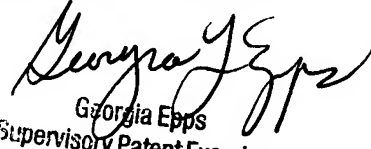
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 06282007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Georgia Epps
Supervisory Patent Examiner
Technology Center 2800

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Tendler on June 28, 2007.

The application has been amended as follows:

Claim 1. (Currently Amended) A method for rapidly acquiring and tracking a threat using a directed countermeasure system without using two separate systems for a narrow field of view and a wider field of view comprising the step of

providing a tracker having fixed non-moveable and non-electrically tunable optics having different focal lengths depending on the position in the far field of an object relative to the on-axis centerline of the optics in which variations in the curvatures of one or more lenses in the ~~non-linear~~ optics create the distorted field characteristic,

the focal length shorter for off-axis objects and longer for on-axis objects, whereby acquisition times are minimized and alignment problems associated with two field-of-view systems are avoided.

Claim 13 is amended to place indents to put it into conformance with 37 CFR 1.75(i).

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Claim 13. (Currently Amended) Apparatus for rapidly acquiring and tracking a threat using a directed countermeasure system without using a two field-of-view system, comprising

a tracker having non-moveable and non-electrically tuned fixed optics having different focal lengths depending on the position in the far field of an object relative to the on-axis centerline of the optics in which variations in the curvatures of one or more lenses in the optics create a distorted field characteristic,

the focal length shorter for off-axis objects and longer for on-axis objects, whereby acquisition times are minimized and alignment problems associated with two field-of-view systems are avoided.

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Figure 4 is amended to include a "Prior Art" label. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Reasons for Allowance

3. Claims 1-15 & 17-19 are allowable over the prior art.

4. The following is an examiner's statement of reasons for allowance:

With respect to claims 1, 10, 13, and 18, US 5,903,005 to Smith discloses an imaging system comprising: optics including telescope assembly stop (140), compensator (145), lens assembly (142), and imager assemblies (120). The system obtains the two different fields of view as illustrated in Figure 11. However, Smith discloses a system that requires the movement of parts such as warm stop (150) in

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order to obtain the two different fields of views. US 6,414,343 B1 to Kondo et al disclose an imaging device using aspheric lenses, but does not disclose or suggest the providing of two different fields of view. As a result, claims 1, 10, 13, & 18 and dependent claims 2-9, 11-12, 14-15, 17, & 19 are allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick J. Lee whose telephone number is (571) 272-2440. The examiner can normally be reached on Monday through Friday, 8:00 am to 5:30 pm.

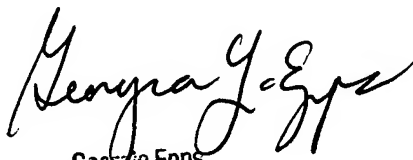
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Patrick J. Lee
Examiner
Art Unit 2878

PJL
June 28, 2007


Georgia Epps
Supervisory Patent Examiner
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